

SECTION 2 - HOURS OF PUPIL INSTRUCTION

To qualify for state aid without a penalty, a local school district must provide each pupil with the required minimum number of hours of pupil instruction in each school fiscal year. The **minimum number of hours** for first through twelfth grades, including alternative education, as specified in Section 101 of the *State School Aid Act*, for fiscal year 2003-2004 and beyond is 1,098 hours of pupil instruction (rounded to the nearest tenth of an hour). A full-time kindergarten pupil must be scheduled for at least one-half of those minimum required hours (549 hours). A district may apply up to 51 hours of teacher professional development toward the minimum requirement for pupil instructional hours. Pupil attendance on any given day must meet the 75% attendance requirement for all pupils scheduled for pupil instruction to avoid a state aid deduction.

A. District, Building, or Program Calendar

A district may operate using a district-wide school calendar that is universal to all buildings and programs within the district; or the district may operate using building or program calendars that are specific for each building or program; or, the district may operate using calendars for clusters of buildings or programs within the district. The calendar must indicate the total scheduled days and hours of instruction for the year.

Pupil instructional hours may vary within a calendar but the minimum required hours for the school fiscal year must be met by each grade level or program. Each kindergarten session must be scheduled to receive the minimum number of clock hours required for a full-time kindergarten during the school fiscal year.

1. **A district wide calendar** is one on which **the days of operation** are universal to all buildings and programs within the district, including the beginning and ending dates of the school year and all vacation days. The individual building and program **hours of operation** may vary on the universal days for activities such as parent/teacher conferences and staff development.
2. **An individual building or program calendar** is one on which **the days of operation** pertain to that individual building or program. When uncontrollable circumstances occur that require a particular building or program to alter the planned schedule, it is acceptable for a district to switch that particular building or program from a district wide calendar to an individual building or program calendar for the purpose of determining compliance with the minimum instructional hours requirements.
3. **Cluster of buildings or programs calendar** is one on which the **days of operation**

revised 08/04

are common to a group of buildings or a group of programs within the district. When uncontrollable circumstances occur that require several buildings or programs to alter the planned schedule, it is acceptable for a district to switch that group of buildings or programs from the district wide calendar to a calendar that is universal to that group of buildings or programs.

B. Hours of Pupil Instruction

A minimum of 1,098 class hours MUST be scheduled and provided to generate full-time equated memberships for pupils in grades first through twelfth, including alternative education. Kindergarten MUST be scheduled and provided a minimum of one-half of the hours required for first through twelfth grades, or a minimum of 549 hours. Instructional hours are based upon the actual time that instruction is scheduled and provided for a given grade level or group of pupils. Instructional hours may vary between buildings, programs or grade levels. Some non-conventional pupils may be provided fewer than the minimum required hours. (See section 5 for non-conventional pupils.) A district may substitute up to 51 hours of the minimum required pupil hours with teacher professional development program hours (see part D). A 549-hour kindergarten program may count up to 26 hours of teacher professional development toward the 549 hour requirement.

The **first 30 hours** of scheduled pupil instruction that is not provided because of conditions not within the control of school authorities such as severe storms, fires, health conditions, etc., shall be counted toward the 1,098 required hours of pupil instruction. Kindergarten may count a pro-rated number of canceled hours based upon the actual number of kindergarten hours per session as related to the 1,098-hour requirement. Example: A 549-hour kindergarten program may count up to 15 cancelled hours as instruction. A 360-hour pre-primary impaired program may count up to 10 canceled hours as instruction.

1. A local school district **may count time** toward the minimum instructional hour requirement in a particular building, program or grade level, without penalty, if the district has evidence that **all** of the following has occurred:

- ✓ Pupils and certificated teachers were present and engaged in instruction.
- ✓ Instruction was scheduled and available for the entire pupil membership.
- ✓ The class was offered for credit or, in the case of an elementary school pupil, the class was required for grade progression. *Exceptions to this requirement MUST meet the following criteria:* The content of the hours pupils were scheduled with teachers in “non-subject classes” such as seminars, achievement hour, focused instructional time, etc., is academic in nature and included such activities as tutoring, mentoring, and/or advising, and will have a pupil/teacher ratio which falls

revised 08/04

within the range of the regular academic classes for the building but in no case is more than 35:1. For this purpose, “academic” is defined as classes counted toward a district's total instructional hours other than periods such as study hall.

- ✓ A maximum of 30 minutes per day of passing time between class periods may have been counted as pupil instruction unless the building administrator was able to demonstrate the need for additional passing time.
- ✓ Passing time to the first class period was excluded.
- U Breakfast period was excluded.
- ✓ Lunch periods and any recess attached to the lunch period was excluded.
- U Only one passing time to or from lunch may be counted.
- ✓ Passing time from the last class period was excluded.
- ✓ In elementary school buildings, a mid-morning and mid-afternoon recess of reasonable duration may have been counted if supervised by a certificated teacher. No such recess may be counted as instruction time if it is part of or connected to the lunch period or is at the beginning or end of the school day.
- ✓ Home room may have been counted if it was of a reasonable length (no more than 15 minutes, which includes passing time) and if it was not determined to be a study hall by the ISD auditor.
- ✓ Not more than two study halls may have been counted and ONLY if supervised by a certificated teacher and the local school district provided at least 90 more hours than the minimum number of hours of instruction.
- U If a pupil in grades 9 to 12 who enrolled in a cooperative education program (as defined in Section 3 of the State School Aid Act) or a special education pupil was unable to receive the minimum number of hours of pupil instruction solely because of travel time between instructional sites during the school day, that travel time, up to a maximum of three hours per school week, may have been considered to be pupil instruction time for the purpose of determining whether the pupil received the minimum number of hours of pupil instruction.

However, if a district has demonstrated to the satisfaction of the Department that the travel time limitation created undue costs or hardship to the district, the Department may consider more travel time to be pupil instruction time for this purpose.

A district failing to comply with the minimum required hours of pupil instruction shall forfeit from its total state aid allocation an amount determined by applying a ratio of the number of hours the district (if operating on a district wide calendar), the building or program (if operating by a building or program calendar), or the cluster of

buildings or programs (if operating by a calendar for a cluster of buildings or programs) was in noncompliance in relation to the required minimum number of hours.

Example 1: In a district on a district wide calendar, the original calendar had 1,047 hours of pupil instruction scheduled plus 51 hours of teacher professional development time for a total of 1,098 hours. School was canceled due to inclement weather on four 6-hour days. There were two days on which school was delayed two hours due to fog and three days on which school was released two hours early due to power outage. Even when including the 30 forgiven hours, this district is still short four hours as follows:

1,047	hours of scheduled pupil instruction
+ 51	scheduled hours of professional development
- 24	hours pupil instruction canceled (four days)
- 4	hours pupil instruction canceled for fog delays
- <u>6</u>	hours pupil instruction canceled - early releases
1,064	subtotal pupil instructional hours
+ <u>30</u>	forgiven hours of canceled pupil instruction
1,094	countable hours of pupil instruction

The district's annual state aid, after adjusting for adult education payments and Durant related payments, is \$10,500,000. The penalty calculation is:

\$10,500,000 adjusted state aid / 1,098 minimum required hours = \$9,562.84

\$9,562.84 hourly state aid for the district X 4 hours short = \$38,251.36

Short Term Deduct for the 4 hours short is \$38,251.36

Example 2A: In a district on a district wide calendar, the original calendar scheduled 1,053 pupil instructional hours plus 51 teacher professional development hours for a total of 1,104 hours. School was canceled for inclement weather on two days, or 12 hours, and had two days that school was on a two-hour fog delay and morning kindergarten was canceled. The first through twelfth grades in this district exceed the minimum hours (1,098) as follows:

1,053	hours of scheduled pupil instruction
+ 51	scheduled hours of professional development
- 12	hours pupil instruction canceled (two days)
- <u>4</u>	hours pupil instruction delayed for fog
1,088	subtotal
+ <u>16</u>	hours pupil instruction canceled was forgiven
1,104	countable hours of pupil instruction

Example 2B: In the example above, the morning kindergarten session was originally scheduled for 527 hours plus 26 teacher professional development hours for a total of 553 hours. The minimum requirement for each kindergarten session is 549 hours. This morning

kindergarten group missed 6.2 hours for the two canceled days plus 6.2 hours for the two fog delayed days (morning kindergarten canceled) for a total of 12.4 hours. The half-day kindergarten session is allowed up to 15 hours forgiven, which means that this kindergarten may count a total of 553 hours.

527.0	scheduled pupil instruction hours
+26.0	scheduled professional development hours
- 6.2	hours pupil instruction canceled (two days)
- 6.2	hours pupil instruction canceled (two days for fog)
540.6	subtotal
+12.4	hours pupil instruction canceled is forgiven
553.0	countable pupil instruction hours

C. 75% Attendance Requirement

A district's daily pupil attendance must meet a minimum 75% pupil attendance requirement in order to avoid a state aid deduction. The percentage of pupil attendance is based upon the actual number of pupils enrolled and scheduled for pupil instruction compared to the number of pupils actually in attendance on that day. A district that has a day on which pupil attendance falls below the minimum 75% attendance requirement shall receive state aid in proportion of 1/180 that the percentage in attendance bears to the specified percentage.

The penalty calculation for not having 75% of the scheduled pupils in attendance is based upon the daily amount of state aid attributable only to the fraction of the district's pupils below 75% not in attendance. (See example below.)

Example: The district had one day on which only 68% of those pupils who were enrolled and scheduled for pupil instruction were in attendance. The district's annual state aid, after adjusting for adult education payments and *Durant* related payments, is \$10,500,000. The penalty calculated is:

$\$10,500,000 / 180 = \$58,333.33$ per day (one day's state aid)

75% attendance required - 68% that attended = 7% short

$7\% / 75\% = .0933$ (percent short bears to percent required to attend)

$\$58,333.33 \times .0933 = - \$5,442.50$ = Short Term Deduct for not meeting the 75% attendance requirement.

NOTE: The percentage in attendance is calculated only for those buildings, programs or grade levels that are in session. The number of pupils in buildings, programs or grade levels that have canceled the day, or otherwise not in session, should not be included in the calculation of the percentage of attendance for that day.

revised 08/04

D. Counting Professional Development Time

A district may count up to 51 hours of teacher professional development program hours as hours of pupil instruction. The hours for the teacher professional development program must be part of the school fiscal year and must be conducted at a time that pupils are not scheduled for pupil instruction. The teacher group participating should be a recognizable group such as the district's entire staff of teachers, a group of teachers from a building, or a group of teachers for several grade levels. The actual pupil instructional hours versus teacher professional hours may differ by building and/or by grade level. However, in scheduling and counting the 1,098 hours, at least 1,047 hours must be actual pupil instructional time and not more than 51 hours may be teacher professional development **time**. A district or intermediate district may require a full-time teacher to participate in at least 5 hours of online professional development provided by the Michigan Virtual University. Those 5 hours shall be considered part of the allowable 51 hours.

NOTE: If the number of teacher professional development hours for a defined group of teachers varies, the lowest number of hours provided to all of the teachers in the group may be counted toward the instructional time requirement for that group's pupils. For example, if the teachers in a middle school all attend a seven-hour in-service, and if each of the teachers also individually attends seminars ranging from two to six hours in length, the total number of teacher professional development hours that can be counted as instructional time for the middle school building is $(7 + 2) = 9$ hours.

E. Regulatory References

State Aid Act Sections:

388.1606(4)(q)
388.1606(4)(r)
388.1695(2)
388.1698(7)
388.1701(4)
388.1701(5)
388.1701(8)(d)
388.1701(11)

Administrative Rules:

340.10
340.11
340.12

Revised School Code

380.1284

Q #1

May the alternative education program be exempt from the 75% attendance rule?

A #1

The alternative education program is part of K12 system; therefore, attendance must be taken and the pupils in this program are a part of the 75% attendance requirement.

revised 08/04

revised 08/04